

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL FERGUSON,

Plaintiffs,

v.

KITSAP COUNTY, *et al.*,

Defendant.

CASE NO. C06-5554JKA

ORDER DISMISSING CASE

The court, having reviewed the record, does hereby FIND and ORDER:

(1) On or about January 24, 2007, Plaintiff's attorney notified the court that Plaintiff had died in the Fall of 2007. Plaintiff's attorney had contacted Plaintiff's personal representative of Plaintiff's estate (Plaintiff's brother), and explained that he could only maintain the matter if the estate would have to be officially opened and take over as the Plaintiff in this matter. The estate has not appeared in the matter, and the court allowed the Plaintiff's attorney to withdraw.

(2) Accordingly, this matter is hereby **DISMISSED without prejudice**.

(3) The Clerk is directed to send copies of this Order to counsel of record.

DATED this 20th day of May, 2008.

/s/ J. Kelley Arnold  
J. Kelley Arnold  
United States Magistrate Judge